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March 7, 2012

Wyatt, Tarrant & Combs, LLP
Attention: Klint W. Alexander
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203

Re: Navitas KY NG, LLC ("Navitas") and Gasco Distribution Systems, Inc. ("Gasco")
Petition for Confidential Treatment received 2/7/11
PSC Reference – Case No. 2010-00468

Dear Mr. Alexander:

The Public Service Commission has received both of the Petitions for Confidential Treatment you filed on January 25, 2011 and February 7, 2011 respectively on behalf of Navitas KY NG, LLC ("Navitas") and Gasco Distribution Systems, Inc. ("Gasco") to protect certain information filed with the Commission as confidential pursuant to Section 7 of 807 KAR 5:001 and KRS 61.870. The information you seek to have treated as confidential is contained in attachments to Joint Responses to the Commission's 1st Data Requests dated 1-24-11 and Responses to Data Requests during the Informal Conference on 2-2-11. The Information is described as Schedule 2(a), 2(b), 2(b)-2, 2(b)-3 and 2(c); Schedule 2(f); Schedule 6(a)(i); Schedule 9(j); Schedule 9(p); Schedule 9(q) and Schedule 9(t); as well as attachments to Notice of Filing described as (Exhibit 1) – maps providing detailed information of Albany Gas System; (Exhibit 2) – General Ledger and Balance Sheet ending 6-30-09; (Exhibit 3) – Gasco Acquisition Spreadsheet; and (Exhibit 4) – which contains redacted versions of documents submitted on January 19, 2011. No confidential version was included with filing.

Your justification for having the Commission handle this material as confidential is that the public disclosure of the information could result in an unfair commercial advantage to competitors, and public disclosure of infrastructure materials could result in an unwarranted risk to the public as well as the companies.

Based on a review of the information and pursuant to KRS 61.878 and 807 KAR 5:001, Section 7, the Commission has determined as follows:

- (1) The information contained in Responses to Data Request Nos. 2(a)-1; 2(a)-2; 2(a)-3; 2(a)-4; 2(b)-1; 2(b)-2; 2(b)-3; 2(c); 2(f); 9(p) and 9(q) meet the criteria for confidential protection and therefore confidentiality is **GRANTED**.
- (2) The information contained in Responses to Data Request Nos. 5(c); 6(a)-1; 8(d); 9(d); 9(i); 9(j); 9(l); 9(o); 9(t); Exhibit 1; Exhibit 2; and Exhibit 3 do not meet the criteria for confidential protection and are hereby **DENIED**.
- (3) The information contained in Exhibit 4 consisted of only redacted versions of documents submitted, and did not contain the confidential version, and therefore the request for confidential protection could be neither granted nor denied.

The information listed above that has been granted confidential protection will be maintained as a nonpublic part of the Commission's file in this case. The procedure for usage of confidential materials during formal proceedings may be found at Section 7(8) of 807 KAR 5:001.

If the information becomes publicly available or no longer warrants confidential treatment, Navitas KY NG, LLC ("Navitas") and Gasco Distribution Systems, Inc. ("Gasco") are required by Section 8(9)(a) of 807 KAR 5:001 to inform the Commission so that the information may be placed in the public record.

The information denied confidentiality will be withheld from public inspection for 20 days from the date of this letter. If you disagree with the Commission's decision, you may seek rehearing with the Commission within 20 days of the date of this letter under the provisions of KRS 278.400

Sincerely,



Jeff Derouen
Executive Director

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cc: Parties of Record